

2802. Adulteration of candy. U. S. v. S. L. Williams Co., Inc. Plea of nolo contendere. Fine, \$150. (F. D. C. No. 5553. Sample Nos. 37859-E, 37860-E, 50523-E, 59201-E, 59210-E, 59212-E to 59215-E, incl.)

Some portions of this product contained rodent hairs. Other portions contained rodent hairs and insect fragments.

On January 23, 1942, the United States attorney for the Eastern District of Virginia filed an information against S. L. Williams Co., Inc., Norfolk, Va., alleging shipment within the period from on or about January 25 to on or about April 9, 1941, from the State of Virginia into the State of North Carolina and the District of Columbia of quantities of candy that was adulterated. The article was labeled variously: "Wilco' Ices," "Wilco Sweets," "Tasty Creams," or "Golf Ball Suckers."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On January 30, 1942, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$150.

2803. Adulteration of candy. U. S. v. 7 Cartons and 24 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 6014. Sample Nos. 64350-E, 64351-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested. It was not determined when such infestation occurred.

On October 11, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 31 cartons of candy at Pittsburgh, Pa., alleging that the article had been shipped on or about March 12 and May 13, 1941, by Curtiss Candy Co. from Chicago, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (7 cartons) "8 Lbs. * * * 24 Bars 5c Baby Ruth 24 Bars 5c Jolly Jack"; or (24 cartons) "7 Lbs. * * * 24 Bars 5c Baby Ruth 24 Bars 5c Butterfinger."

On October 20, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2804. Adulteration of candy. U. S. v. 11 Boxes, 2 Boxes, and 3 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 5264. Sample Nos. 59530-E, 59531-E, 59532-E.)

On August 4, 1941, the United States attorney for the District of Columbia filed a libel against 16 boxes of candy at Washington, D. C., alleging that the article was in interstate commerce in the District of Columbia in possession of Dixie Sweets; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. Portions of the article were labeled "Dixie Chow" or "Dixie Peanut Bars." The remainder, consisting of marshmallow bars, was unlabeled.

On August 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2805. Adulteration of marshmallows. U. S. v. 50 Cases of Marshmallows (and 5 other seizure actions against marshmallows). Decrees of condemnation and destruction. (F. D. C. Nos. 5122, 5123, 5176, 5415, 5418, 5419. Sample Nos. 53529-E to 53532-E, incl., 60297-E, 60437-E to 60440-E, incl., 60824-E, 60825-E, 61349-E.)

Examination showed that this product contained insect fragments and rodent hairs.

Between July 11 and August 20, 1941, the United States attorneys for the Western District of Washington and the District of Oregon filed libels against 305 cartons and 375 cases, each containing 24 bags, and 630 cartons and 200 cases, each containing 12 bags, of marshmallows at Seattle, and 50 cases each containing 24 bags and 150 cases each containing 12 bags of marshmallows at Tacoma, Wash.; and 255 cases each containing 24 bags, and 617 cases and 150 cartons, each containing 12 bags, of marshmallows at Portland, Oreg., alleging that the article had been shipped within the period from on or about June 10 to on or about July 31, 1941, by Doumak's Marshmallow Co. from Los Angeles, Calif.; and charging that it was adulterated. It was labeled in part: (Bags) "Doumak's Snow White Marshmallows * * * One Pound Net [or "Net Weight 12 Oz." or "8 Oz. Net"]"; or "Dan-Dee Snow White Marshmallows * * * One Pound Net."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On November 13, 1941, the cases in the Western District of Washington having been consolidated and Doumak's Marshmallow Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed. On September 22 and October 9, 1941, no claimant having appeared for the product seized at Portland, Oreg., judgment of condemnation was entered and the product was ordered destroyed.

2806. Adulteration of candy. U. S. v. 23 Boxes and 14 Cartons of Candy. Default decrees of destruction. (F. D. C. Nos. 5960, 6028. Sample Nos. 59654-E, 79032-E.)

This product contained rodent hairs and insect fragments.

On October 3 and 14, 1941, the United States attorneys for the Eastern District of Kentucky and the Northern District of West Virginia filed libels against 23 boxes of candy at Harrodsburg, Ky., and 14 cartons of candy at Parkersburg, W. Va., alleging that the article had been shipped in interstate commerce on or about September 5 and 11, 1941, by the Jobbers Candy Co., Inc., from Bristol, Va.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. It was labeled in part: "Big Boy Stick 1 for 1c Mint," or "Sweetheart Suckers."

On November 13 and December 5, 1941, no claimant having appeared, judgments were entered ordering that the product be destroyed.

2807. Adulteration of candy. U. S. v. 290 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 4960. Sample Nos. 65721-E to 65726-E, incl.)

These candies contained rodent hairs.

On June 20, 1941, the United States attorney for the District of Utah filed a libel against 290 cartons of candy at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce on or about April 17, 1941, by the Matzger Chocolate Co., from San Francisco, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Bars) "Taxi Bar," "Double Mint," "Mt. Shasta Creamy Cocoanut Chocolate Covered," "Yum Yum," "Big Marshmallow," or "Jumbo Peanut Brittle."

On December 20, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2808. Adulteration of candy. U. S. v. 11 Boxes, 21 Boxes, 9 Boxes, and 24 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. No. 5019. Sample Nos. 9546-E to 9549-E, incl.)

Examination showed this product to contain rodent hairs and insect fragments.

On or about June 30, 1941, the United States attorney for the Southern District of Mississippi filed libels against 65 boxes of candy at Biloxi, Miss., alleging that the article had been shipped in interstate commerce on or about April 14, May 13, and June 3, 1941, by McGraw Candy Co. from Mobile, Ala.; and charging that it was adulterated. It was labeled in part: "72 Cocoanut Blocks," "Azalea Brand Peanut Bars," "72 Peanut Blocks," or "Azalea Brand Candy Mint Stick."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On February 18, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

2809. Misbranding of candy. U. S. v. 36 Cases of Candy Pops. Default decree of condemnation and destruction. (F. D. C. No. 1971. Sample No. 10913-E.)

Examination showed that the boxes containing this product could have held 25 percent more pops without packing, forcing, or systematical arrangement; and that the labeling was further objectionable as indicated hereinafter:

On May 15, 1940, the United States attorney for the District of New Jersey filed a libel against 36 cases of candy pops at Hoboken, N. J., alleging that the article had been shipped in interstate commerce on or about March 26, 1940,